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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/728,911	12/08/2003	Toshiki Naito	Q78886	8822
65565 7590 01/25/2008 SUGHRUE-265550 2100 PENNSYLVANIA AVE. NW WASHINGTON, DC 20037-3213				
EXAMINER DINH, TUAN T				
ART UNIT 2841		PAPER NUMBER		
MAIL DATE 01/25/2008		DELIVERY MODE PAPER		

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

## Office Action Summary

**Application No.**

10/728,911

**Applicant(s)**

NAITO ET AL.

**Examiner**

Tuan T. Dinh

**Art Unit**

2841

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 31 October 2007.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1,4 and 9-12 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1,4 and 9-12 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All    b) ☐ Some \*    c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                       | 5) <input type="checkbox"/> Notice of Informal Patent Application                       |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

### DETAILED ACTION

A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 10/31/07 has been entered.

#### **Note of the claimed language:**

The term "**capable of**", which is equivalent as "adapted to or configured to", performing a function is not a positive limitation but only requires the ability to so perform. It does not constitute a limitation in any patentable sense. *In re Hutchison* USPQ 138.

#### **Abstract**

The abstract of the disclosure is objected to because "**the number**" should be formed in a parenthesis. Correction is required. See MPEP § 608.01(b):

***Claim Rejections - 35 USC § 103***

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claim 1 is rejected under 35 U.S.C. 103(a) as being unpatentable over Kitano et al. ('876) as in the record with figure 6 in view of figure 12 in the same reference.

As to claim 1, Kitano discloses a tape carrier for TAB as shown in figures 1-6, comprising:

a carrying support film (6 or 9) and  
individual pieces of flexible wiring boards (3), each of which includes an electrically insulating base layer made of a resin film (column 5, line 28) and an electric conductor layer (4) made of a metal foil or copper foil (column 5, lines 29-31) having a predetermined wiring circuit pattern,

wherein said flexible wiring boards (3) are mounted at regular intervals on mounting portions of said carrying support film (6) and wherein an entire surface of each of the flexible wiring boards (3) and an entire surface of each the mounting portions are bonded to each other through an adhesive agent (20).

Figures 1-6 of Kitano et al. does not specific disclose an interior area defined by an outer perimeter of each of the mounting portions having no holes formed.

As in figure 12 of Kitano, that discloses a carrying support film (15) having no holes formed thereon. Therefore, it would have been obvious to one having ordinary

skill in the art at the time the invention was made to have the carrying support film having no holes as in figure 12 of Kitano employed the carrying support film with holes as in figure 6 of Kitano in order to provide a high connection reliability.

3. Claims 4 and 9-12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kitano in view of Nakamura (the references cited in the record).

As to claims 4, 12, Kitano does not specific disclose the support film and the insulating base layer made by polyimide film. Nakamura shows the insulating base layer and carrying support film (3) is a polyimide film (column 6, lines 65-67 and column 7, lines 33-43).

It would have been obvious to one having ordinary skill in the art at the time the invention was made to have a teaching of Nakamura employed in the TAB of Kitano in order to provide an excellent flexure and good in heat dissipation.

As to claims 9-11, Kitano as modified by Nakamura discloses a thickness of said electrically insulating base layer (2) is in a range from 3  $\mu\text{m}$  to 100  $\mu\text{m}$  (column 6, lines 64-65) and a thickness of said conductor layer (foil 35) is in a range from 3  $\mu\text{m}$  to 50  $\mu\text{m}$  (column 8, line 30).


### ***Response to Arguments***

4. Applicant's arguments with respect to claims 1, 4, and 9-12 have been considered but are moot in view of the new ground(s) of rejection.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tuan T. Dinh whose telephone number is 571-272-1929. The examiner can normally be reached on M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Gutierrez F. Diego can be reached on 571-272-2245. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

  
Tuan Dinh  
January 15, 2008.

  
TUAN T. DINH  
PRIMARY EXAMINER

1/15/08